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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6309 OF 2006

Sundarnagar Co-operative Housing Society Ltd. ... Petitioner

Vs.

Satyanarayan Narayan Maripelli and Ors. ... Respondents

Mr. S. Kumthekar for Petitioner.

Mr. S.S. Redkar for R. No. 1.

Mrs. M.P. Thakur, A.G.P. for R. Nos. 3, 4 and 5;.

Mr. G.D. Utangale i/by M/s. Utangale & Co. for R. Nos. 2 and 3.

CORAM: F.I. REBELLO &
R.V. MORE,JJ.
DATED: JANUARY 09, 2007

P.C.:

. In Writ Petition (L) No. 102 of 2006 by order dated 28.2.2006 the society was directed to accommodate the Petitioner or adjust him in any other scheme. The S.R.A. sanctioned additional area in which the Petitioner can be accommodated. That has not been constructed. The society has taken no steps against the developer. In the meantime, the Petitioner approached the authorities under the M.C.S. Act for the directions to the society to allot him premises. Though in the earlier petition being Writ Petition No. 739 of 1996, the learned Single Judge had taken a view by

order dated 12.6.1996 that the Respondent No. 1 is not eligible as his father has been held to be eligible and that there is only one pitch card, Pursuant to directions issued in Writ Petition No. 114 of 2005 on 21.3.2005, the Petitioner if aggrieved was allowed to make a representation. Petitioner made representation to S.R.A. and his claim has been upheld for residential cum commercial premises for an area admeasuring 225 sq. ft.

. By the impugned order dated 31.7.2006 all that the Respondent No. 7 has done as by way of temporary arrangement is to direct the Respondent No. 6 to make available to the Petitioner one of the galas out of the three galas meant for welfare centre. That is purely temporary arrangement. It is open to the society to move for appropriate relief against the developer.

. In the light of that we do not propose to interfere in this case in exercise of our extra ordinary jurisdiction. Petition stands disposed of. Needless to say that after the Petitioner is allotted permanent premises, he will have to vacate the present temporary accommodation.

(R.V. MORE,J.) **(F.I.REBELLO, J.)**